

### Remarks

Claims 1-30 are pending in the Application. Claims 26-30 are new. Support in the written description for the new claims can be found in the portions of the specification discussed below.

The Applicants thank the Examiner for the courtesy shown to Applicants' representative during the telephonic interviews on May 22 and June 12, 2007. The advantages of the invention and the language set forth in the claims were discussed. Independent Claims 1, 7, 8, 14 and 20 have been amended in accordance with the Examiner's helpful suggestions provided during the interviews and set forth in the subsequent Advisory Action.

Particularly, each of the independent claims is now directed to an industrial process. Further, each independent claim recites a recycling step and a rate of recovery of optically active diacyltartaric acid of about 90% or more. Support for the amended claim elements can be found in the specification, for example, in paragraph 0015 and in the examples. As described in the examples, the rate of recovery of optically active diacyltartaric acid can be consistently achieved at about 90% or more. *See*, Example 1 (98.0%), Example 4 (96.8%), Example 6 (94.0%), Example 7 (97.8%), Example 8 (94.3%) and Example 9 (96.6%). Further Claim 7 has been amended to recite "a raw material composition containing" as suggested by the Examiner.

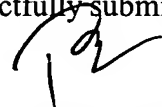
For the reasons set forth in the Applicants' Response filed May 8, 2007 and the accompanying Declaration of Mr. Toshihiro, the processes recited in the claims provide unexpected results, and would not have been obvious over the combination of JP'446 and JP'236. During the telephonic interviews it was agreed that the invention provided new and non-obvious advantages over the prior art. However, the Examiner expressed concern that the claims (prior to the instant amendment) did not have an adequate nexus to the unexpected results described by Mr. Toshihiro. Therefore, it was agreed that the above amendments would be entered in accordance with the Examiner's helpful suggestions in order to expedite allowance of the application.

In addition to the amendments previously discussed, new Claims 26-30 have been added to further define the recovery rate as at least 94%. Support for the new claims can be found in the examples discussed above.

In light of the foregoing, reconsideration and withdrawal of all of the objections and rejections set forth in the Official Action and Advisory Action is respectfully requested. The

Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested. If the Examiner believes that further minor amendments or correction as to matters of form would expedite allowance, the Examiner is invited to telephone the Applicant's undersigned representative.

Respectfully submitted,



T. Daniel Christenbury  
Reg. No. 31, 750  
Attorney for Applicants

TDC/SAN/vbm  
(215) 656-3381